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Conservation Comm Minutes 07-19-2001

ARLINGTON CONSERVATION COMMISSION MINUTES

JULY 19, 2001

Mr. Stevens called the meeting to order at 7:30pm in the second floor conference room of the Town Hall Annex. Present were Nathaniel Stevens, Timothy Sullivan, David White, Geraldine Tremblay, Christine Wallace and Judith Hodges of the Commission. Ingeborg Hegemann of BSC Group was present as the Commission's consultants for the Mugar project. Other residents present were: John Simmons, Aram Hollman, Karsten Hartel, Jack Hurd, Elsie Fiore, George Laite, and Dana Fronzak.

7:30pm –MUGAR PARCEL, ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION, deliberation and decision

Mr. Stevens opened the deliberation by having David White begin with his comments. Mr. White began by stating that there are several possible interpretations of the FEMA study, the map, the table and the profile, which cross section to use. There are several directions of flooding. There have been a number of changes in the floodplain since the 1982 FEMA study was completed. The Cambridge CSO project might have an effect on the floodplain. The Northeast Regional Climate Center's data makes the use of the 1982 FEMA obsolete. The residents' comments should be heeded even if they were not as quantitative. He concludes that a new study is needed utilizing the new funds made available by the Secretary of Environmental Affairs.

Ms. Tremblay reminded the Commission that the applicant didn't provide any confirmation of compensatory flood storage areas with the T station and Rte. 2 rotary projects. She finds the FEMA data and the NRCC data and observations are variable outdated and contradictory. She feels that the Commission has insufficient information to make a decision with so much at stake for the development as well as the residents. While we were provided with lots of information, the applicant didn't provide compelling evidence to support the FEMA data.

Ms. Wallace asked if any flood elevation data has been or could be gathered to support or disprove the 1982 FEMA study. Ms. Hegemann said that such an evaluation would be part of a new hydrology study. A method using photos of storm events and surveying that location must use too many assumptions to be useful. Such assumptions include timing of peaks (rainfall and runoff), condition of culverts/openings (clean of debris, sediments).

Mr. Sullivan commented that the Commission should not pick a new floodplain elevation with supporting information. While each piece of evidence to challenge the FEMA study may not be strong enough to overturn the default information, the accumulation, the volume of information, of all the points is compelling to doubt the 1982 FEMA study.

Mr. Stevens commented that he finds the statement from the NRCC that if the new rainfall data were included in the modeling that FEMA used in 1982, the floodplain elevations would be much higher.

Ms. Beckwith's comments were outlined in her 7/11/01 memorandum. Mr. Stevens asked if the Magnolia field floodplain impact volume was quantified. It was calculated in the hydrology study for that project and was more than 97,000 cubic feet. This fill resulted in a 0.03 foot increase in the 100 year floodplain north of Route 2.

Ms. Wallace clarified that she cannot vote because she missed one hearing, but she would not vote to approve the 1982 FEMA information.

Ms. Beckwith also clarified that she is not a member of the Commission and also would not be voting.

Mr. Sullivan removed the dangling motion that was pending from the February 1, 2001 hearing.

Mr. Stevens described that the wetland delineation was also being voted on this evening. Mr. Sullivan suggested that the

Commission take separate votes under the bylaw as well.

Mr. Sullivan made a motion to approve the Bordering Vegetated Wetland as drawn on the plan A-1 prepared by Rizzo Associates, Inc., dated 5/18/00, revised October 18, 2000 by BSC Group under the Massachusetts Wetlands Protection Act/Mr. White seconded the motion. The vote to approve the motion was unanimous (5-0).

Mr. Sullivan made a motion to approve the Bordering Vegetated Wetland as drawn on the plan A-1 prepared by Rizzo Associates, Inc., dated 5/18/00, revised October 18, 2000 by BSC Group under the Arlington Bylaw for Wetland Protection/Ms. Tremblay seconded the motion. The vote to approve the motion was unanimous (5-0).

Ms. Tremblay made a motion to approve the isolated Vegetated Wetlands I, H, F (connecting flag F-2 to F-3 and flag F-1 to F-4) and G as drawn on the plan A-1 prepared by Rizzo Associates, Inc., dated 5/18/00, revised October 18, 2000 by BSC Group under the Arlington Bylaw for Wetland Protection/Mr. Sullivan seconded the motion. The vote to approve the motion was unanimous (5-0).

Mr. White made a motion to find inaccurate the determination of the boundary of the Bordering Land Subject to Flooding based upon the 1982 FEMA flood study under the Massachusetts Wetlands Protection Act/Ms. Tremblay seconded the motion. The vote to approve the motion was unanimous (5-0).

Mr. White made a motion to find inaccurate the determination of the boundary of the Bordering Land Subject to Flooding based upon the 1982 FEMA flood study under the Arlington Bylaw for Wetland Protection/Ms. Tremblay seconded the motion. The vote to approve the motion was unanimous (5-0).

The permit will be issued by August 2, 2001.

8:45pm – 18 PARKER RD, CERTIFICATE OF COMPLIANCE

Ms. Beckwith reported on the site walk for the reconstruction of a wall along the shore of upper Mystic Lake. Mr. Turner planted low bush blueberries mulched with peatmoss. Small wire fencing is being used to keep the Canada geese off of the lawn.

Ms. Tremblay made a motion to issue the Certificate of Compliance for this project/Mr. Sullivan seconded the motion. The vote to approve the motion was unanimous.

MISCELLANEOUS

The Great Meadows report final draft has been submitted to the Commission for review. The Commission will copy, review it and hold a public meeting in September regarding this report.

The next meeting will be August 2 and the agenda will include a Notice of Intent for an office building at 5,7 Brattle Ct.

Ms. Beckwith reported on a site walk at Spy Pond Condos on 7/16/01. They want to trim tree limbs along the property line and replace a small area (3 by 12 feet) of lawn with gravel.

Ms. Beckwith reported on a site walk at Mt. Pleasant Cemetery on 7/13/01. Ms. Tremblay, Ron Santosuosso, Town Engineer, a gentleman from BSC and the construction supervisor were also present. BSC had proposed pachysandra and topsoil in selected locations along the bank. Ms. Beckwith will ask VHB for their recommendations and will flag the areas to be planted. Ms. Beckwith and Ms. Tremblay also noted a location where coir logs could be used to prevent undercutting of a large tree.

Ms. Beckwith, Mr. White, Mark Shea, DPW, Gerry Smith, Aquatic Control Technology, and Roger Frymire had a site walk at the Arlington Reservoir on 7/13/01 in regards to the water chestnut harvesting. The stockpile area was inspected, no materials had migrated back to the waterway. The pile had desiccated and composted quite well. Erosion controls might not be necessary around the pile. Mr. Frymire observed that the seed pods were all empty and therefore non-viable. Ms. Beckwith will conduct the site walk with the Lexington agent. Mr. White will post the DEP # signs.

Mr. Roche will be resigning from the Commission so there will be an opening for a new member.

Mr. White and Ms. Tremblay conducted a site walk along Geri's Brook (No name Brook) on 7/18/01. Ron Santosuosso, Fred Beaton and Nicole Barron of Metromedia were also present to discuss repairs along the bikepath. The pipe at the "tiger cage" grate will be increased in size. The Commission would like to have this work as a NOI since it is a change and will probably result in a change of flows. Ms. Beckwith will notify the DPW.

Ms. Beckwith forwarded the file information regarding 62 Hutchinson Rd to Mr. Stevens for a meeting with Town Counsel to decide upon a course of action.

The Commission voted to convene at approximately 9:30pm.

Respectfully submitted,
Cori Beckwith, Administrator